

## **A. CHILDREN WITH SPECIAL NEEDS**

Children with special needs may have a physical or mental impairment that limits one or more major life activities. Major life activities mean functions such as breathing, hearing, seeing, speaking, walking, using arms and hands, learning and working. **PLAY** is the **work** of children.

Effective January 19, 2002

### **WAC 388-290-0220 How does DSHS determine that my child qualifies for a special needs daily rate?**

To qualify for the DSHS child care program's special needs subsidy daily rate my child must:

- (1) Be under nineteen years old;
- (2) Have a verified physical, mental, emotional, or behavioral condition that requires a higher level of care; and
- (3) Have their condition and need for higher level of care verified by an individual who is:
  - (a) Not employed by the child care facility; and
  - (b) A health, mental health, education or social service professional with at least a master's degree; or
  - (c) A registered nurse.
- (4) Be 13 to 19 years old and be a dependent of the courts.

## **CLARIFYING INFORMATION**

### **EXAMPLE 1**

Samantha's 1 1/2 year old, Felicity, was premature at birth. The child is currently receiving services from the Infant / Toddler Early Intervention Program. Samantha has applied for WCCC and the Special Needs Rate. Samantha provided the child care worker with a note from Felicity's primary physician outlining her special needs and Felicity's need for a higher level of care. The

Special Needs Rate from the appropriate age category, facility type and region should be authorized.

**EXAMPLE 2**

A 15-year-old child committed a crime for which there is a verified court order requiring that the teen be under 24-hour supervision. The parent is employed and qualifies for WCCC. The 15-year-old is eligible for WCCC and eligible for the Special Needs Rate.

**Authorizing Special Needs Child Care**

Effective July 1, 2002

**WAC 388-290-0225** What is the DSHS child care subsidy daily rate for children with special needs in a licensed or certified child care center or DSHS contracted seasonal day camp?

We authorize special needs daily rates to licensed or certified child care centers or seasonal day camps that have contracts with us to provide subsidized child care under WAC 388-290-0200 and whichever of the following is greater:

(1) The provider's reasonable documented additional cost associated with the care of the child; or

(2) The daily rate listed in the table below

		Infants birth - 11 months	Toddlers 12 - 29 months	Preschool 30 months - 5 years	School-age 5 – 12 years
Region 1	full-day	\$6.82	\$5.96	\$5.40	\$5.01
	half-day	\$3.41	\$2.98	\$2.70	\$2.51
Region 2	full-day	\$6.95	\$6.14	\$5.33	\$5.50
	half-day	\$3.48	\$3.07	\$2.66	\$2.52
Region 3	full-day	\$9.05	\$7.80	\$6.60	\$5.93
	half-day	\$4.53	\$3.90	\$3.30	\$2.97
Region 4	full-day	\$11.34	\$8.86	\$7.84	\$7.02
	half-day	\$5.67	\$4.43	\$3.92	\$3.51
Region 5	full-day	\$7.75	\$6.65	\$5.84	\$5.25
	half-day	\$3.87	\$3.33	\$2.92	\$2.63
Region 6	full-day	\$7.68	\$6.82	\$6.00	\$6.00
	half-day	\$3.84	\$3.41	\$3.00	\$3.00

Effective July 1, 2002

**WAC 388-290-0230 What is the DSHS child care subsidy daily rate for children with special needs in a licensed or certified family child care home?**

- (1) We authorize special needs daily rates to licensed or certified family child care homes under WAC 388-290-0205 and whichever of the following is greater:
- (a) The provider's reasonable documented additional cost associated with the care of the child; or
  - (b) The daily rate listed in the table below.
- |          |          | Infants<br>birth - 11 months | Toddlers<br>12 – 29 months | Preschool<br>30 months - 5 years | School-age<br>5 – 12 years |
|----------|----------|------------------------------|----------------------------|----------------------------------|----------------------------|
| Region 1 | full-day | \$5.70                       | \$5.28                     | \$5.10                           | \$4.50                     |
|          | half-day | \$2.85                       | \$2.64                     | \$2.55                           | \$2.25                     |
| Region 2 | full-day | \$5.40                       | \$5.40                     | \$4.80                           | \$4.50                     |
|          | half-day | \$2.70                       | \$2.70                     | \$2.40                           | \$2.25                     |
| Region 3 | full-day | \$8.40                       | \$7.20                     | \$6.60                           | \$6.00                     |
|          | half-day | \$4.20                       | \$3.60                     | \$3.30                           | \$3.00                     |
| Region 4 | full-day | \$9.00                       | \$8.18                     | \$7.50                           | \$6.75                     |
|          | half-day | \$4.50                       | \$4.09                     | \$3.75                           | \$3.38                     |
| Region 5 | full-day | \$6.30                       | \$6.00                     | \$5.70                           | \$5.10                     |
|          | half-day | \$3.15                       | \$3.00                     | \$2.85                           | \$2.55                     |
| Region 6 | full-day | \$6.15                       | \$6.00                     | \$5.40                           | \$5.10                     |
|          | half-day | \$3.08                       | \$3.00                     | \$2.70                           | \$2.55                     |
- (2) The family child care home WAC 388-155-010 allows providers to provide care to children within a birth through eleven years of age range exclusively. In order for a family home provider to provide care for a twelve-year-old or older child, the provider must obtain a child specific and time-limited waiver from their child care licensor.

Effective January 19, 2002

**WAC 388-290-0235 What is the DSHS in-home / relative child care daily rate for children with special needs?**

- (1) DSHS authorizes \$2.06 an hour for in-home/relative child care for care of a child with special needs and the lesser of:
- (2) The provider's reasonable documented additional cost associated with the care for that child with special needs; or
- (3) Sixty-two cents per hour.

**CLARIFYING INFORMATION**

1. WCCC allows for two levels of payment for Special Needs child care.
  - a. **Level 1:** Thirty percent (30%) above the basic DSHS maximum rate is paid when the parent and professional have verified the child's special need(s) and need for a higher level of care, or
  - b. **Level 2:** The provider's reasonable documented additional cost associated with the care of the child if above the DSHS rate.
2. Any request for special needs payments must have documentation that outlines the child's special needs for a higher level of care. This documentation must come from:
  - a. A registered nurse; or
  - b. A health, mental health, education or social service professional with a master's level or above.
3. DSHS does **not** pay for training or equipment. If a provider indicates the additional cost of care associated with a child with special needs is due to special training or equipment, refer the provider to the local Child Care Resource and Referral agency. That agency may be able to assist the provider in obtaining special funding for training and equipment.

**WORKER RESPONSIBILITIES****For Level 1 and Level 2 Authorization**

1. Obtain from the consumer the documentation from the professional outlining the child's special needs and need for a higher level of care
2. Document the information provided by the professional regarding the child's need for a higher level of care in WCAP.

**Level 1 Authorization**

1. For children in licensed / certified care:
  - a. Authorize the provider's or the DSHS standard child care rate, whichever is less, with the appropriate SSPS code for full or half-day regular care, and then
  - b. Authorize the special needs rate according to provider type, the child's age category and for the appropriate region, with SSPS code 2956.

**EXAMPLE 1**

In Region 1, a 3-year-old child with verified special needs and additional care requirements, in a licensed family home, needs 10 hours a day, Monday - Friday or 22 full-days of child care per month. Assuming the provider's usual and customary rate is higher than the standard DSHS rate, authorize as follows:

Line 1:	02951	\$18.00/DA	22	\$396.00
Line 2:	02956	\$5.40/EA	22	\$118.80

2. For children in in-home / relative care:
  - a. Authorize \$2.06 per hour with the appropriate SSPS code.
  - b. Authorize \$.62 per hour for special needs with the SSPS code 2957.

**EXAMPLE 2**

Donna has two children in in-home / relative child care; the older child has special needs. The youngest child needs 175 hours of care. The older child requires 100 hours

of care. Assuming the provider's usual and customary rate is higher than the standard DSHS rate, authorize as follows:

Youngest child:

Line 1: 02941	8 hours / day	5 days / week	\$2.06 / hour	175 hours	\$360.50
------------------	------------------	------------------	------------------	--------------	----------

Older Child with special needs and additional care requirements:

Line 1: 02941	5 hours / day	5 days / week	\$2.06 / hour	100 hours	\$206.00
Line 2: 02957	5 hours / day	5 days / week	\$0.62 / hour	100 hours	\$62.00

**NOTE:** Because this is a special needs child, pay the \$2.06 per hour rate plus the \$.62 per hour special needs rate. Normally the child in care for the lesser hours would get the \$1.03 rate.

## **Level 2 Authorization**

1. Authorize the second level of special needs rates as follows:
  - a. The provider must submit to DSHS a written description of how that provider will meet the needs of the child and the provider's additional cost associated with the care. For example, a provider may need to hire an additional staff person. The provider would need to document the cost of that staff person and make it available to the AW. The additional costs should be in line with similar costs in the community.
  - b. Obtain supervisory approval prior to authorizing payment.
  - c. If a special needs rate above that which is listed in WAC 388-290-0225, or 388-290-0230 is authorized, the SSPS service code should be preceded by a '9'.

**EXAMPLE**

Jack and Sara have a 4 yr. old child, with severe behavioral problems due to an early child hood brain trauma, who needs full-time/full-day child care. In order to maintain the child in a licensed family home, the provider is choosing to decrease her ratio by two children (an infant and toddler). She will take no more than 4 children.

The child's needs are well documented and this is a good match between the child and provider. The provider documents the following as her cost of care (she charges the same as DSHS):

Regular child care rate: \$462.00 a month or \$21.00 a day  
2 slots: (infant-\$610.06 and toddler-\$524.92 or \$1134.98)

Authorize the care as follows:

2951	\$21.00/da	22	\$462.00
92956	\$51.59/da	22	\$1134.98